

### **REMARKS**

This application has been carefully reviewed in light of the Final Office Action mailed June 23, 2005. At the time of the Final Office Action, Claims 1-24 were pending in the application. In the Final Office Action, the Examiner rejects Claims 1-24. To advance prosecution of this case, Applicants amend Claims 1, 4-6, 8-9, and 11-24. In addition, Applicants add new Claims 25-35. Applicants do not admit that any amendments are necessary due to any prior art. Applicants respectfully request reconsideration and allowance of all pending claims.

#### **Section 103 Rejections**

The Examiner rejects Claims 1-4, 9-11, 13-17, and 21-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,356,945 B1 issued to Shaw et al. ("*Shaw*") in view of U.S. Patent Pub. No. 2002/0089548 A1 filed by Marler et al. ("*Marler*"). In addition, the Examiner rejects Claims 5-8, 12, and 18-20 under 35 U.S.C. § 103(a) as being unpatentable over *Shaw* in view of *Marler* and further in view of U.S. Patent No. 5,706,278 issued to Robillard et al. ("*Robillard*"). Applicants respectfully request reconsideration and allowance of Claims 1-24.

#### ***Claims 1, 9, 13, and 21***

The cited references fail to teach, suggest, or disclose at least two aspects of amended Claim 1. First, the references fail to teach, suggest, or disclose a transceiver operable to "wirelessly transmit a synchronization packet at a radio frequency within a predetermined frequency range, the synchronization packet usable to synchronize data transmissions" as recited, in part, in amended Claim 1. Second, the references fail to teach, suggest, or disclose a transceiver operable to "wirelessly transmit a data packet at a radio frequency within a predetermined frequency range, the data packet transmitted after the synchronization packet by a predetermined offset" as recited, in part, in amended Claim 1.

First, the references fail to teach, suggest, or disclose a transceiver operable to "wirelessly transmit a synchronization packet at a radio frequency within a predetermined frequency range, the synchronization packet usable to synchronize data transmissions" as

recited, in part, in amended Claim 1. The Examiner relies on *Robillard* for this aspect of the claimed invention. *Robillard* describes a system that communicates messages using a timing beacon and a time-slot allocation protocol. (*Robillard*; col. 2, ll. 50-60). In particular, the system in *Robillard* uses a timing beacon to assign critical messages to certain time slots and non-critical messages to other time slots. (*Robillard*; col. 2, ll. 50-60). There is nothing, however, in *Robillard* that teaches, suggests, or discloses wirelessly transmitting “a synchronization packet at a radio frequency within a predetermined frequency range” as recited, in part, in amended Claim 1. In addition, *Robillard* fails to teach, suggest, or disclose a “synchronization packet usable to synchronize data transmissions” as recited, in part, in amended Claim 1. Because the combined references fail to teach, suggest, or disclose these aspects of amended Claim 1, the references do not support the rejection.

Second, the references fail to teach, suggest, or disclose a transceiver operable to “wirelessly transmit a data packet at a radio frequency within a predetermined frequency range, the data packet transmitted after the synchronization packet by a predetermined offset” as recited, in part, in amended Claim 1. As shown above, the cited references fail to teach, suggest, or disclose “the synchronization packet” as recited, in part, in Claim 1. Furthermore, there is nothing in the references that teaches, suggests, or discloses wirelessly transmitting a data packet “at a radio frequency within a predetermined frequency range” as recited, in part, in amended Claim 1. In addition, the references fail to teach, suggest, or disclose transmitting the data packet “after the synchronization packet by a predetermined offset” as recited, in part, in amended Claim 1. Because the references fail to teach, suggest, or disclose these aspects of amended Claim 1, the references do not support the rejection. For at least these reasons, Applicants respectfully request reconsideration and allowance of amended Claim 1.

In rejecting Claims 9, 13, and 21, the Examiner employs the same rationale used with respect to Claim 1. Accordingly, for at least the reasons stated with respect to amended Claim 1, Applicants respectfully request reconsideration and allowance of amended Claims 9, 13, and 21.

***Claims 2-3, 7, 10 and Amended Claims 4-6, 8, 11-12, 14-20, 22-24***

Claims 2-3, 7, 10 and amended Claims 4-6, 8, 11-12, 14-20, 22-24 depend from independent claims shown above to be allowable. In addition, these claims recite further elements not taught, suggested, or disclosed by the cited references. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claims 2-3, 7, 10 and amended Claims 4-6, 8, 11-12, 14-20, 22-24.

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**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

If there are matters that can be discussed by telephone to further the prosecution of this Application, Applicants invite the Examiner to call the undersigned attorney at (214) 953-6581 at the Examiner's convenience.

Because Applicants add new Claims 25-35, enclosed is check no. 125545 in the amount of \$ 550.00. The Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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